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**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DARNISHA JOHNSON, an individual,)	Case No. 2:20-cv-00399-JCM-EJY
)	
Plaintiff,)	STIPULATION AND ORDER TO
)	EXTEND DISCOVERY
vs.)	
)	(THIRD REQUEST)
JAMES RIVER INSURANCE COMPANY,)	
an Illinois corporation; DOES I through X;)	
and ROE CORPORATIONS I through X,)	
inclusive,)	
)	
Defendant.)	

All of the parties hereto, and for good cause described in this stipulation, and in accord with Local Rule 6-1 and Local Rule 26-4, the parties hereby request this Honorable Court to adopt and approve this stipulated extension to the discovery plan, and continue the discovery deadlines for 60-days as requested herein.

I. LOCAL RULE 6-1 IS SATISFIED

This is the third request for extension of discovery deadlines filed by the parties. Pursuant to the Stipulation and Order to Extend Discovery (Second Request), the following dates govern for purposes of discovery:

1. Discovery Cutoff Date: March 1, 2021

- | | | |
|---|----------------------------------|------------------|
| 1 | 2. Expert Designations: | January 4, 2021 |
| 2 | 3. Rebuttal Expert Designations: | February 3, 2021 |
| 3 | 4. Dispositive Motions: | March 31, 2021 |
| 4 | 5. Joint Pre-Trial Order: | April 30, 2021 |

5 Due to Covid-19, there have been delays in obtaining Plaintiff's medical records
6 and conducting additional discovery such as depositions and an Independent Medical
7 Examination. While the parties had previously agreed for Plaintiff to under an
8 Independent Medical Examination on November 2, 2020, Plaintiff failed to show for
9 the agreed examination and the examination has now been re-scheduled to December
10 17, 2020. Under normal circumstances Defendant's medical expert has reported that
11 he needs a minimum of 45-days after the examination to complete his initial expert
12 report. However, as there are multiple holidays between the date of the IME and the
13 initial expert disclosure deadline, the parties are requesting a 60-day extension to all
14 discovery deadlines.

15 The instant request comports with Local Rule 6-1, in that no request is being
16 made after the expiration of the specified period.

17 **I. LOCAL RULE 26-4 IS SATISFIED**

18 The instant request to extend discovery deadlines satisfies the requisites of Local
19 Rule 26-4. Additionally, good cause exists for the extension. Due to Covid-19, there
20 have been delays in obtaining Plaintiff's medical records and conducting additional
21 discovery such as depositions and an Independent Medical Examination. While the
22 parties had previously agreed for Plaintiff to under an Independent Medical
23 Examination on November 2, 2020, Plaintiff failed to show for the agreed examination
24 and the examination has now been re-scheduled to December 17, 2020. Under normal
25 circumstances Defendant's medical expert has reported that he needs a minimum of
26 45-days after the examination to complete his initial expert report. However, as there
27 are multiple holidays between the date of the IME and the initial expert disclosure
28 deadline, the parties are requesting a 60-day extension to all discovery deadlines.

1 Listed below is a statement specifying the discovery completed in this case:

2	Plaintiff's Rule 26 Initial Disclosures	April 21, 2020
3	Defendant James River Insurance	April 23, 2020
4	Company's Initial Disclosure of Witnesses	
	And Documents Pursuant to FRCP 26(a)(1)	
5	Plaintiff's First Set of Discovery Requests	May 18, 2020
6	Defendant James River Insurance Company's	July 7, 2020
7	Responses to Plaintiff's First Set of Requests	
	For Admission	
8	Defendant James River Insurance Company's	July 7, 202
9	Responses to Plaintiff's First Set of Requests	
	For Production	
10	Defendant James River Insurance Company's	July 7, 202
11	Responses to Plaintiff's First Set of	
	Interrogatories	
12	Defendant James River Insurance Company's	August 18, 2020
13	First Set of Requests for Admission to Plaintiff	
	Darnisha Johnson	
14	Defendant James River Insurance Company's	August 18, 2020
15	First Set of Requests for Production to Plaintiff	
	Darnisha Johnson	
16	Defendant James River Insurance Company's	August 18, 2020
17	First Set of Interrogatories to Plaintiff Darnisha	
	Johnson	
18	Plaintiff's Responses to Defendant's First Set	October 1, 2020
19	Of Requests For Admissions, Interrogatories,	
	And Requests for Production of Documents	
20	Plaintiff's Designation of Expert Witnesses	October 1, 2020
21	And Documents	
22	Defendant James River Insurance Company's	October 8, 2020
23	Notice of Independent Medical Examination	
	of Plaintiff	
	(Set for November 2, 2020)	
24	Defendant James River Insurance Company's	November 12, 2020
25	Amended Notice of Independent Medical	
26	Examination of Plaintiff	
	(Set for December 17, 2020)	

27 Due to Covid-19, there have been delays in obtaining Plaintiff's medical records
28 and conducting additional discovery such as depositions and an Independent Medical

Examination. While the parties had previously agreed for Plaintiff to under an Independent Medical Examination on November 2, 2020, Plaintiff failed to show for the agreed examination and the examination has now been re-scheduled to December 17, 2020. Under normal circumstances Defendant's medical expert has reported that he needs a minimum of 45-days after the examination to complete his initial expert report. However, as there are multiple holidays between the date of the IME and the initial expert disclosure deadline, the parties are requesting a 60-day extension to all discovery deadlines.

Finally, under Local Rule 26(4), it is necessary to articulate a proposed schedule for completing all remaining discovery. The parties are requesting an additional 30-days be afforded for discovery.

The following deadlines are requested.

- | | |
|----------------------------------|----------------|
| 1. Discovery Cutoff Date: | April 30, 2021 |
| 2. Expert Designations: | March 1, 2021 |
| 3. Rebuttal Expert Designations: | March 31, 2021 |
| 4. Dispositive Motions: | June 1, 2021 |
| 5. Joint Pre-Trial Order: | July 1, 2021 |

The parties hereby stipulate to the proposed changes in the discovery deadlines.

Dated this 24th day of November, 2020

Dated this 24th day of November, 2020

LOWE LAW GROUP

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ORDER

IT IS SO ORDERED:


UNITED STATES MAGISTRATE JUDGE

Dated: November 24, 2020

The **STIPULATION AND ORDER TO EXTEND DISCOVERY (THIRD REQUEST)** in 2:20-cv-00399-JCM-EJY was submitted by:

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